

August 20, 2007



Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

Re: Notice of Oral *Ex Parte* Presentation in WT Docket No.  
06-150

Dear Ms. Dortch:

On August 16, 2007, Harold Feld of Media Access Project met with Chairman Martin and Erika Olsen, Wireless Adviser to Chairman Martin, with regard to the above captioned proceeding.

Mr. Feld raised the following points during the meeting. First, the failure of the recently released *Order* to include an "either/or" condition that would require bidders to choose between the D Block license and C Block licenses needlessly increases the likelihood of wireless concentration. It would better serve the interests of competition for the Commission to require that a bidder winning both the D Block and any licenses in the C Block choose between the D Block and C Block licenses (without the penalty for a withdrawal). This would ensure a sufficiently large pool of bidders for both blocks of licenses to ensure a competitive auction, but still maximize the chance that a new, national wireless competitor would emerge from the auction.

Second, the footnotes discussing the Rose analysis of the AWS auction (footnotes 644, 645 and 655) are both inaccurate and unnecessary to the Commission's determinations. Accordingly, the Commission should vacate them. Finally, with reference to the Declaratory Ruling, Mr. Feld observed that PISC had requested that the Commission clarify that a discussion among bidders to block a third party from acquiring licenses violated the anti-collusion rules, even if the colluding bidders agree to bid competitively among themselves. The Declaratory ruling appeared designed to respond to this request, but it had failed to fully resolve the issue. Accordingly, PISC asked the Commission to clarify that a conspiracy to block or otherwise coordinate an attack on a bidder violates the anti-collusion rules.

In accordance with Section 1.1206(b) of the Commission's Rules, 47 CFR §1.1206, this letter is being filed with your office.

Respectfully submitted,

/s/

Harold Feld  
Senior Vice President

cc: Chairman Martin  
Erika Olsen  
Renee Crittendon  
Bruce Gottlieb  
Angela Giancarlo  
Fred Campbell